



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **GOTO, Takenori**

Group Art Unit: 2815

Serial No.: **09/888,419**

Examiner: **NGUYEN**

Filed: **June 26, 2001**

P.T.O. Confirmation No.: 9498

For: **NITRIDE BASED SEMICONDUCTOR LASER DEVICE AND METHOD OF
FABRICATING THE SAME**

RESPONSE TO RESTRICTION REQUIREMENT

#5 Electron
T. Young
1-23-03

Commissioner for Patents

Washington, D.C. 20231

Date: January 15, 2003

Sir:

This paper is submitted in response to the Official Action dated **December 16, 2002**.

In the Action, restriction is required between Group (I), Claims 1-11; and Group (II), Claims 12-21.

Applicant hereby elects the subject matter of Group (I), Claims 1-11 for prosecution in this application. This election is made without traverse, it being understood that the applicant's rights to the filing of a divisional application directed to the non-elected subject matter under 35 USC 120 and 35 USC 121 are retained.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

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In the event any additional fees are required in connection with this response, please charge our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP



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SGA/arf

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PATENT TRADEMARK OFFICE